

Appl. No. 09/994,557
Atty. Docket No. CM2478M
Amdt. dated 3/31/06
Reply to Office Action of 2/7/2006
Customer No. 27752

REMARKS/ARGUMENTS

Claims 1, 6, 8-10, 15-20, and 22-24 are pending.

Claims 2, 3 and 21 are cancelled herewith, without prejudice, as being redundant in view of the amendments to the remaining claims.

Claim 14 was previously cancelled.

Claims 4, 5, 7 and 11-13 have been withdrawn from consideration.

Claims 1, 19, 20, 22 and 23 and, perforce, all claims depending therefrom, now recite that the pouch is sealed (basis at page 13, line 2, 17, 25) and that the detergent is in tablet form (basis at page 5, line 2 and original Claim 3). It is submitted that the amendments are fully supported, and entry is requested.

Formal Matters

The previous rejection under 35 USC 112 has been withdrawn. For the record, there are no further objections or rejections under §112 outstanding.

Rejections Under 35 USC 103

Claims 1, 2, 3, 6, 8, 9, 10, 15-22, 23 and 24 stand rejected over U.S. 4,115,292 in view of U.S. 4,776,455, for reasons or record at pages 2-5 of the Office Action

The Examiner's thorough exposition of the teachings of '292 and '455 is acknowledged and will allow this response to be relatively brief.

Applicants respectfully traverse all rejections, to the extent they may apply to the claims, as now amended.

For the record, all arguments previously presented in support of patentability continue to apply, but will not be extensively repeated herein, for the sake of brevity.

The Examiner's attention is directed to page 4, lines 1-5, which discloses the problem that, when a unit dose pouch is made and sealed using powder detergents, the working environment can be dusty. And, the dust can negatively affect the pouch seal.

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Having identified this dust/seal problem, Applicants overcame it by using a detergent in tablet form.

As the Examiner is aware from the case law cited at MPEP 2141.02, "[A] patentable invention may lie in the discovery of the source of a problem, even though the remedy may be obvious once the source of the problem is identified." This is part of the "subject matter as a whole" test under 35 USC 103.

Turning to the cited combination of '292 and '455, the Examiner is certainly aware that the documents teach in considerable detail the formation of pouches, sachets, etc., by sealing various films.

However, despite this rather extensive disclosure, the aforesaid problem associated with pouch sealing caused by detergent dust does not appear to have been appreciated.

Moreover, inventing a solution to this problem by using a detergent in tablet form, rather than as a powder, does not appear to be contemplated by '292 or '455, taken either singly or in combination. In short, a sealed pouch comprising a tablet and an auxiliary, as disclosed herein, is not suggested by these patents. Nor do they suggest any reason to construct such a pouch.

Accordingly, under MPEP 2141.02, it is submitted that the claims as now amended fully meet the requirements of 35 USC 103. Reconsideration and withdrawal of the rejections are therefore requested.

In light of the foregoing, early and favorable action on all pending claims is requested.

Respectfully submitted,

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